

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:	:
	:
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:
	:
Debtors.	:
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LEHMAN BROTHERS HOLDINGS INC. and	:
LEHMAN BROTHERS SPECIAL	:
FINANCING, INC.	:
	:
Plaintiffs,	:
	:
-against-	:
	:
NOMURA INTERNATIONAL PLC,	:
	:
Defendant.	:
-----X	
LEHMAN BROTHERS HOLDINGS INC. and	:
LEHMAN BROTHERS SPECIAL	:
FINANCING, INC.	:
	:
Plaintiffs,	:
	:
-against-	:
	:
NOMURA SECURITIES CO., LTD.	:
	:
Defendant.	:
-----X	

**ORDER, PURSUANT TO SECTION 105 OF THE BANKRUPTCY CODE
AND BANKRUPTCY RULES 1001, 7042 AND 9014, TO CONSOLIDATE
CERTAIN PROCEEDINGS AND ESTABLISH RELATED PROCEDURES**

Upon the Motion of Debtors and Debtors in Possession for Entry of an Order,
Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 1001, 7042 and 9014, to

Consolidate Certain Proceedings and Establish Related Procedures (the “Motion”); and the Court having reviewed the Motion and the Response of Nomura International plc and Nomura Securities Co., Ltd. to the Motion of Debtors and Debtors in Possession for Entry of an Order, Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 1001, 7042 and 9014, to Consolidate Certain Proceedings and Establish Related Procedures and having considered the statements of counsel before the Court at a hearing (the “Hearing”); and the Court having found that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Referral of Cases to Bankruptcy Court Judges of the District Court for the Southern District of New York, dated July 19, 1984 (Ward, Acting C.J.); (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b); (c) venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and (d) due and proper notice of the Motion was provided under the circumstances and that no other or further notice need be provided;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. Except as expressly set forth herein, the Nomura International Proceeding and the Nomura Securities Proceeding are hereby consolidated by the Court for all pretrial purposes, including coordination of all fact and expert discovery and motions concerning issues of law and fact common to these matters.
3. All documents filed in connection with either the Nomura International Proceeding or the Nomura Securities Proceeding shall be filed only on the docket of the main chapter 11 case, In re Lehman Brothers Holdings Inc., et al., Case No. 08-138555 (JMP).

4. All documents filed in connection with either the Nomura International Proceeding or the Nomura Securities Proceeding shall be captioned as set forth on Annex A hereto.

5. All non-evidentiary hearings and conferences (other than pre-trial conferences) held with respect to any Nomura International Proceeding or Nomura Securities Proceeding shall be treated as a joint hearing or conference on these two proceedings.

6. The determination of whether evidentiary hearings and trials held with respect to the Nomura Proceedings should also be consolidated is hereby expressly deferred to such time as the Court may direct. Each of the parties to the Nomura Proceedings reserves their respective rights concerning the consolidation of the proceedings for trial and hearings.

7. The Nomura International Proceeding and the Nomura Securities Proceeding shall be exempt from the Order Pursuant to Section 105 of the Bankruptcy Code, Bankruptcy Rule 9014, and General Order M-390 Authorizing the Debtors to Implement Claims Hearing Procedures and Alternative Dispute Resolution Procedures for Claims Against Debtors [Docket No. 8474].

8. Notwithstanding that the Nomura International Proceeding and the Nomura Securities Proceeding contain contested matters, the Debtors, Nomura and Nomura Securities shall serve all documents filed in the Nomura International Proceeding and the Nomura Securities Proceeding in a manner consistent with the timelines, applicable rules and procedures governing adversary proceedings.

9. Consistent with the requirements of Bankruptcy Rules 7016, 7026(f) and 9014, the Debtors, Nomura and Nomura Securities are hereby directed to confer, as soon as practicable, with respect to the submission of a jointly-proposed scheduling order and discovery

plan with respect to the Nomura International Proceeding and the Nomura Securities Proceeding, which will facilitate the consolidation of the Nomura International Proceeding and the Nomura Securities Proceeding.

10. Nothing contained in this Order shall be construed to alter the applicable burdens of proof in the Nomura International Proceeding and the Nomura Securities Proceeding or the Debtors' or the Nomura Entities' substantive rights in any way.

11. The request for relief in the Motion with respect to the consolidation of the Nomura GFP Proceeding with the other Nomura Proceedings, is adjourned until June 16, 2010 at 10:00 a.m. Any objection by Nomura GFP to such relief must be filed with the Court and served in accordance with the Amended Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 1015(c) and 9007 Implementing Certain Notice and Case Management Procedures, dated February 13, 2009 [Docket No. 2837] no later than 4:00 p.m. on June 9, 2010 at 4:00 p.m. Nothing contained in this Order shall be construed to prejudice or limit in any way the Debtors' right to seek consolidation of the Nomura GFP Proceeding with the other Nomura Proceedings.

12. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation and/or interpretation of this Order.

Dated: New York, New York
May 18, 2010

s/ James M. Peck
Honorable James M. Peck
United States Bankruptcy Judge

ANNEX A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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